

**GOVERNMENT OF INDIA
INFORMATION TECHNOLOGY
LOK SABHA**

UNSTARRED QUESTION NO:485
ANSWERED ON:26.07.2000
PATENT LAWS
DR. KIRIT SOMAIYA

Will the Minister of INFORMATION TECHNOLOGY be pleased to state:

- (a) whether the Government plan to consider the demand from the IT Industry to allow them to register software/computer/business patent programme under Indian Patent Act;
- (b) if so, facts and present status thereof;
- (c) whether some computer companies from India had registered their programme under the Patent Act in U.S.A. but could not get it patented in India due to non-availability of such provisions in Indian Patent Act;
- (d) if so, facts thereof;
- (e) whether his Ministry has favoured registration of software computer business programme under Patent Act instead of Copyright Act to facilitate Indian Software Industries to market their product in USA; and
- (f) if so, facts thereof and steps being taken in this regard?

Answer

MINISTER OF PARLIAMENTARY AFFAIRS AND INFORMATION TECHNOLOGY (SHRI PRAMOD MAHAJAN)

- (a) and (b): Currently computer software in India is protected under the Indian Copyright Act 1957 as amended in 1999. The Patents (IInd) Amendment Bill is presently under consideration of the Joint Committee of the Parliament.
- (c): Information in this regard is not readily available.
- (d): Does not arise.
- (e): No, Sir.
- (f): Does not arise.